

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED

AUG 23 2005

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte JUNG-CHIH HUANG, YISHAO MAX HUANG  
AARON REYNOSO, BRIAN OH and STERLING DU

Application No. 09/429,174

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on July 7, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below:

On September 7, 2004, an Examiner's Answer was mailed. A review of the Examiner's Answer reveals that the information contained therein pertaining to the appeals conference is not in compliance with the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., Rev. 2, May 2004). The MPEP states in part:

On the examiner's answer, below the primary examiner's signature, the word "Conferee should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name. This will make the record clear that an appeal conference has been held.

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In the examiner's answer of this application, the examiner has not signed/initialed next to his typed name and there are no conferee listed on the signature page of the answer as required by the MPEP § 1208 as noted above.

ORDERED that the application is returned to the examiner for

- (a) for the examiner to submit a proper examiner's answer complying with the MPEP requirements noted above,
- (b) for the Examiner to mail a copy of the corrected answer to appellants, and
- (c) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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